

LAW OFFICES

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**ORIGINAL  
FILE**

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June 9, 1992

Mr. Andrew S. Fishel  
Office of Managing Director  
Federal Communications Commission  
1919 M Street, N.W.  
Room 852  
Washington, D.C. 20554

**RECEIVED**

**JUN - 9 1992**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: Desert Rock Limited Partnership  
MM Docket No. 92-111  
Healdsburg, California

Dear Mr. Fishel:

Desert Rock Limited Partnership ("Desert Rock"), formerly an applicant for a new FM station at Healdsburg, California, pursuant to Section 1.1111 (b)(2) of the Commission's Rules, respectfully requests the return of the \$6,760.00 hearing fee submitted in conjunction with the filing of its application for the new FM station.

On June 9, 1992, Desert Rock filed a Motion to Dismiss its application with the Presiding Judge. The Motion to Dismiss is attached hereto. If there are any questions concerning this matter please contact the undersigned.

Respectfully submitted,

*J. Daniel Gilbert*  
for Arthur V. Belendiuk  
Counsel for  
DESERT ROCK LIMITED PARTNERSHIP

AVB\scb.C0605

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Listed

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LAW OFFICES  
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1990 M STREET, N.W.  
SUITE 510  
WASHINGTON, D.C. 20036

TELEPHONE  
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June 9, 1992

Ms. Donna Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

RECEIVED  
JUN 9 1992  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

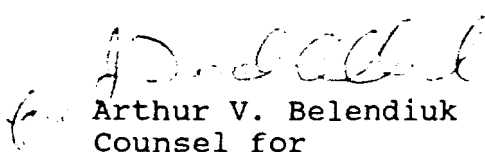
Re: MM Docket No. 92-111  
Desert Rock Limited Partnership  
File No. BPH-910211ML  
Healdsburg, California

Dear Ms. Searcy:

Transmitted herewith, on behalf of Desert Rock Limited Partnership, applicant for a construction permit for a new FM at Healdsburg, California, are an original and six copies of its "Motion to Dismiss" in the above-referenced proceeding.

If there are any questions with respect to this matter, please communicate with the undersigned.

Sincerely,

  
Arthur V. Belendiuk  
Counsel for  
DESERT ROCK LIMITED PARTNERSHIP

Enc.  
AVB/lmv.A0609

cc: As per Certificate of Service  
Desert Rock Limited Partnership

Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

|                                  |   |                       |
|----------------------------------|---|-----------------------|
| In re Applications of            | ) |                       |
|                                  | ) | MM Docket No. 92-111  |
|                                  | ) |                       |
| DEAS COMMUNICATIONS, INC.        | ) | File No. BPH-910208MD |
|                                  | ) |                       |
| <u>et al.</u>                    | ) | <u>et seq.</u>        |
|                                  | ) |                       |
| For Construction Permit for a    | ) |                       |
| New FM Station on Channel 240A   | ) |                       |
| in Healdsburg, California        | ) |                       |
|                                  |   |                       |
| To: Honorable Edward J. Kuhlmann |   |                       |
| Administrative Law Judge         |   |                       |


**MOTION TO DISMISS**

Desert Rock Limited Partnership ("Desert Rock"), by its attorneys, hereby moves the Presiding Judge to dismiss with prejudice its application (File No. BPH-910211ML) for a construction permit for a new FM station on Channel 240A at Healdsburg, California.

A Dismissal of Application and Declaration of No Consideration executed by, Charles M. Wilkinson, general partner of Desert Rock, is attached hereto.

Respectfully submitted,

**DESERT ROCK LIMITED PARTNERSHIP**

By:   
for Arthur V. Belendiuk  
Its Attorney

**SMITHWICK & BELENDIUK, P.C.**  
1990 M Street, N.W.  
Suite 510  
Washington, D.C. 20036  
(202) 785-2800  
June 9, 1992

Before the  
**Federal Communications Commission**

Washington, D.C. 20554

In re Application of )  
 )  
DESERT ROCK )  
LIMITED PARTNERSHIP )  
 )  
For Construction Permit for a )  
New FM Station on Channel 240A )  
in Healdsburg, California )

File No. BPH-910211ML

TO: The Honorable Edward J. Kuhlmann  
Administrative Law Judge

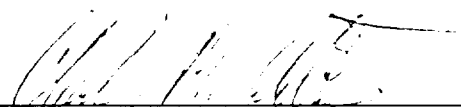
**DISMISSAL OF APPLICATION**  
**AND**  
**DECLARATION OF NO CONSIDERATION**

Desert Rock Limited Partnership ("Desert Rock") hereby respectfully dismisses with prejudice its application (File No. BPH-910211ML) for a construction permit for a new FM station at Healdsburg, California.

Charles M. Wilkinson, General Partner of Desert Rock, under penalty of perjury, declares that Desert Rock has not directly or indirectly been paid or promised any consideration in connection with the dismissal of its application for a new FM station on Channel 240A, at Healdsburg, California.

Executed this 5 day of JUNE, 1992.

**DESERT ROCK LIMITED PARTNERSHIP**

By:   
Charles M. Wilkinson  
General Partner

**CERTIFICATE OF SERVICE**

I, Lisa M. Volpe, a legal assistant in the law firm of Smithwick, & Belendiuk, P.C., certify that on this 9th day of June 1992, copies of the foregoing were mailed, first class, postage paid to the following:

The Honorable Edward J.  
Kuhlmann\*  
Administrative Law Judge  
Federal Communications  
Commission  
2000 L Street, N.W., Room 220  
Washington, DC 20554

Larry Miller, Esquire\*  
Mass Media Bureau  
Federal Communications  
Commission  
2025 M Street, N.W. Rm 350  
Washington, DC 20554

Chief, Data Management Staff  
Audio Services Division  
Mass Media Bureau  
Federal Communications  
Commission  
1919 M Street, N.W., Rm 350  
Washington, DC 20554

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Communications, Inc.

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San Francisco, CA 94111  
Counsel for Healdsburg  
Broadcasting, Inc.

\*By Hand

  
\_\_\_\_\_  
Lisa M. Volpe